

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 3855-01
BILL NO.: HB 1799
SUBJECT: Civil Rights; Religion
TYPE: Original
DATE: March 2, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 4 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Courts Administrator, Department of Economic Development, Department of Elementary and Secondary Education, Department of Transportation, Department of Natural Resources, Department of Agriculture, Department of Health, Department of Labor and Industrial Relations, Department of Social Services, Office of the Governor, Department of Insurance, Department of Conservation, Office of Administration, Office of the Lieutenant Governor, Office of the State Auditor, Office of the State Treasurer, Central MO State University, Harris-Stowe State College, MO Western State College, Truman State University, Southwest MO State University, and University of Missouri** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Office of the Secretary of State (SOS)** assume the proposed legislation attempts to guarantee a person's right to free exercise of religion unless there is a compelling state interest in restricting it. It is unknown how many agencies will promulgate rules in order to properly state their restrictions on the free exercise of religion that is compelled by state interest. If agencies promulgate rules for this purpose, the rules would be published in the *Code of State Regulations*. For any given rule, roughly half again as many pages are published in the *Missouri Register* as in the *Code* because cost statements, fiscal notes, and the like are not repeated in *Code*. These costs are estimated. The estimated cost of a page in the *Missouri Register* is \$22.50. The estimated cost of a page in the *Code of State Regulations* is \$26.50. The actual costs could be more or less than the numbers given. The total cost would depend upon how many pages of rules all the agencies promulgate. Since all agencies could promulgate rules for this issue, the rules published could be quite extensive. However, they could also be minimal. The impact of this legislation in future years is unknown and depends upon the frequency and length of rules filed, amended, rescinded, or withdrawn.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	\$0	\$0	\$0

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<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

The proposed legislation prohibits a governmental authority from restricting a person's free exercise of religion unless the restriction is generally applicable, does not discriminate based on religion, is necessary to further a compelling governmental interest, and is the least restrictive means of furthering that compelling governmental interest. The proposal also specifies that its provisions apply to all state and local laws, resolutions, and ordinances regardless of whether the laws, resolutions, and ordinances were adopted before or after the proposal's effective date.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the State Courts Administrator
Department of Economic Development
Department of Elementary and Secondary Education
Department of Transportation
Department of Natural Resources
Department of Agriculture
Department of Health, Department of Labor and Industrial Relations
Department of Social Services
Office of the Governor
Department of Insurance
Department of Conservation
Office of Administration
Office of the Lieutenant Governor
Office of the State Auditor
Office of the State Treasurer
Central MO State University
Harris-Stowe State College

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SOURCES OF INFORMATION (continued)

MO Western State College
Truman State University
Southwest MO State University
University of Missouri

NOT RESPONDING: Office of the Attorney General, Coordinating Board of Higher Education, Department of Corrections, MO Gaming Commission, Department of Revenue, Department of Public Safety, House of Representatives, Lottery Commission, Senate, State Tax Commission, Lincoln University, MO Southern State College, Northwest MO State University, and Southeast MO State University.

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is stylized with a large initial "J" and a cursive "e" at the end.

Jeanne Jarrett, CPA
Director
March 2, 2000